

FINAL PROPERTY TRANSFER MEMORANDUM

TO: Ms. Margaret Morris (EPA Region I Site Assessment Manager)

cc: Ms. Patricia DeRosa (CT DEEP Remediation Division)

FROM: Ms. Stephanie Bitzas (Site Leader) **THRU:** Mr. John F. Kelly (Project Leader)

DATE: 23 September 2014

PROJECT: Farmington Industrial Park Site File Review Technical Assistance

W.O. NO.: 20114-091-998-0933-70

SUBJECT: Final Property Transfer Memorandum

Mallory Industries, Inc. Farmington, Connecticut EPA ID No. CTD001148568 State ID No. Not Assigned TDD No. 14-03-0001

DC No. A-6970

INTRODUCTION

Under the direction of the U.S. Environmental Protection Agency (EPA) Region I, Weston Solutions, Inc. (WESTON®), Superfund Technical Assessment and Response Team III (START) personnel, as part of the Farmington Industrial Park (FIP) Sites File Review Technical Assistance assignment, conducted limited file reviews and database searches of the Mallory Industries, Inc. property located in Farmington, Hartford County, Connecticut (CT) to assist EPA with determining if further action is required under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) Site Assessment Program. As part of the limited research, START has completed a file review of selected EPA and Connecticut Department of Energy & Environmental Protection (CT DEEP) documents, and conducted searches of the CT DEEP Manifest data base and the Connecticut Secretary of State, Connecticut Commercial Recording Division (CONCORD) data base for information regarding the Mallory Industries, Inc. In addition, START conducted a limited file review of property records and ownership information retained at the Farmington, CT Town Hall.

The purpose of this Property Transfer Memorandum is to provide information to assist with identifying whether the Mallory Industries, Inc. property is eligible for inclusion into the CT DEEP Property Transfer Program. The CT DEEP Property Transfer Program, which was created in 1985 and is administered by the CT DEEP Remediation Division of the Bureau of Water Protection and Land Reuse, requires the disclosure of environmental conditions when an "establishment" is transferred. For the Mallory Industries, Inc. property to be eligible for inclusion in the CT DEEP Property Transfer Program, the property must meet the definition of an "establishment" and meet the terms and conditions for "Transfer of Establishment".



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An "establishment" is defined under the CT DEEP Property Transfer Program as any property or business operating on a property which meets the following criteria: more than 100 kilograms (Kgs) of hazardous waste was generated in any one month on or after 19 November 1980, except as the result of remediation of polluted soil, groundwater, or sediment; hazardous waste generated at a different location was recycled, reclaimed, reused, stored, handled, treated, transported, or disposed of on the property; the process of dry cleaning was conducted on the property on or after 1 May 1967; furniture stripping was conducted on the property on or after 1 May 1967; or a vehicle body repair facility operated on the property on or after 1 May 1967.

"Transfer of Establishment" is defined under the CT DEEP Property Transfer Program as any transaction or proceeding through which an "establishment" undergoes a change in ownership after creation of the program in 1985. Numerous clauses exist which would make a property ineligible for this program under the terms of "Transfer of Establishment". One example of a clause which would result in ineligibility concerns whether the "establishment" was transferred to a family member of the current "establishment" owner.

The Mallory Industries, Inc. property is located at 33 Spring Lane in Farmington, CT [see Attachment A, Figures 1 and 2 from the 1990 NUS Corporation (NUS) Screening Site Inspection (SSI) [Site ID Number (No.) 10] and Figure 1A from the 1997 Roy F. Weston (Weston) START Final Site Inspection Prioritization (SIP)]. The property is depicted on the Town of Farmington Tax Assessor Map No. 77, as Lot No. 22 (see Attachment B, Town of Farmington Documents). According to the Town of Farmington Commercial Property Card, the Mallory Industries, Inc. property is currently owned by Mallory Industries, Incorporated, with a mailing address listed as 33 Spring Lane, Farmington, CT (see Attachment B, Town of Farmington Documents). According to the CONCORD database, Mallory Industries, Incorporated was incorporated on 22 October 1956 and is listed as currently active.

According to the 1990 NUS Final SSI and the 1997 Weston START Final SIP Report, prior to development in 1965, the Mallory Industries, Inc. property and surrounding properties in the FIP were used for agricultural purposes. Mallory Industries, Inc. began operations at this location in 1965. Mallory Industries, Inc. was an active manufacturing company that produced aircraft industry precision cams and machine parts. According to the 1990 SSI, processes used at the manufacturing building included, but were not limited to, general metal machining (drilling, turning, grinding, and milling), acid dipping and washing, and parts degreasing. According to the 1997 SIP, processes at Mallory Industries, Inc. remained relatively unchanged during its operational history; however, chemicals used and wastes generated may have varied throughout due to industry technological advances. Wastes generated from on-site operations included waste oils, spent mineral spirits, spent solvents, treatment sludge from the wastewater treatment system, scrap metals, and process wastewater from on-site manufacturing processes.

According to the 1980 Connecticut Department of Environmental protection (CT DEP) Inspection P-5 report, prior to 1980, waste oil and solvent were stored in 55-gallon drums inside the facility prior to disposal by a licensed waste hauler. After 1980, waste oil and solvents were collected in a 500-gallon holding tank and hauled off-site. Per the 1997 SIP, according to CT DEP Underground Storage Tank (UST) Facility Notification Form and confirmed by the property owner, a 550-gallon



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UST was removed from the southwest side of the building in 1983. According to the SIP Report, no known confirmatory samples associated with the UST removal are available. According to the SIP report and other available documents, in 1983 a new 550-gallon waste solvent UST and a new waste oil UST were installed along the southwest corner of the facility building. After 1983, waste solvents and waste oil were stored in these two USTs and removed periodically by a licensed waste hauler.

From approximately 1965 to 1986, wastewater generated from the machining operations (estimated to be approximately 137 gallons per day) was discharged to a drywell adjacent the northeast side of the building. Wastewater discharge to the drywell reportedly ceased in 1986 when Mallory installed a wastewater treatment system. After August 1986, these wastes were discharged to the municipal sewer system. As of 2011, the waste treatment sludge produced during the wastewater treatment process was disposed of off-site.

In 1989, as part of the SSI, NUS collected 10 soil/source samples for the Mallory Industries, Inc. property. The samples were analyzed via the EPA Contract Laboratory Program (CLP) for organics and targeted metals. Analytical results did not indicate detectable concentrations of chlorinated volatile organic compounds (VOCs). In December 1994, CT DEP collected one soil sample (M1) from the bottom of the former dry well along the northeast side of the building. Analytical results indicate detectable concentrations of both trichloroethylene (TCE) and tetrachloroethylene (PCE) in the sample from the dry well. TCE was detected at 2.5 micrograms per kilogram (μ g/Kg) and PCE was detected at 17 μ g/Kg.

In a letter from Edwin Mallory to CT DEP, dated 27 October 1994, Mr. Mallory stated that Mallory Industries, Inc., the owner of the property in question, has not and does not now (1994) use either PCE or TCE in its operations. He further stated that there have never been any spills or discharges of PCE or TCE on the premises or the property since they acquired the property and built the building in 1956.

In 1981, Mallory Industries, Inc. filed a Notification of Hazardous Waste Activity with the EPA. In connection with that notification, Mallory Industries, Inc. was designated as a Generator/Large Quantity Generator (LQG) [originally reported as a Treatment, Storage & Disposal (TSD) facility]. On September 2, 1982, Mallory Industries, Inc. requested a change of status to a Small Quantity Generator (SQG) under Resource Conservation and Recovery Act (RCRA). SQGs are facilities which generate between 100 to 1,000 Kgs per month (the equivalent of 220 to 2,200 pounds or 26 to 260 gallons) of hazardous waste. On 31 December 1985, CT DEP notified Mallory Industries, Inc. that they were in the process of finalizing their change in status request. On 8 January 1986, the Hazardous Waste Management section of CT DEP announced its intent to approve the change in status and revoke the Interim Status for Mallory Industries, Inc.

A search of the manifest database in the File Room of the CT DEEP Records Center identified several records of RCRA generator history for the Mallory Industries, Inc. property. Manifests indicated that from 1984 to 2011 wastes included Waste Flammable Liquid, NOS (not otherwise specified); Hazardous Waste Solid, NOS; Waste Combustible Liquid, NOS; RQ Hazardous Waste, Liquid, NOS; Waste Mercury; nitric acid; and corrosive liquid acid, inorganic nos.



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Based on a review of available file information, no Property Transfer filings have been submitted to CT DEEP for the Mallory Industries, Inc. property. Mallory Industries, Inc. registered with EPA and was designated as a Generator/LQG (TSD) in 1981. In 1986, Mallory Industries, Inc. RCRA status changed from Generator/LQG (TSD) to a SQG of hazardous waste materials, indicating that a minimum of 220 Kgs per month of hazardous waste materials were generated on the property; therefore the Mallory Industries, Inc. property appears to meet the definition of an "establishment" under the CT DEEP Property Transfer Program. However, the "establishment" ownership does not appear to have been transferred since 1965; thereby, the terms and conditions of the definition for "Transfer of Establishment" under the CT DEEP Property Transfer Program does not appear to have been fulfilled. Based on available information obtained and reviewed, START was not able to conclude that the Mallory Industries, Inc. property is currently subject to the requirements of the CT DEEP Property Transfer Program

MALLORY INDUSTRIES, INC. REFERENCES REVIEWED

- [1] Connecticut Department of Energy & Environmental Protection (CT DEEP). 2009. Property Transfer Program An Environmental Program Fact Sheet. Available from http://www.ct.gov/deep/cwp/view.asp?a=2715&q=325006&depNav_GID=1626. Internet accessed 25 March.
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- [3] NUS Corporation. 1990. Final Screening Site Inspection for Mallory Industries, Inc. Farmington, Connecticut. 23 July.
- [4] Roy F. Weston, Inc. Superfund Technical Assessment and Response Team (START). 1997. Final Site Inspection Prioritization Report for the Mallory Industries, Inc. Property, Farmington, Connecticut. 11 July.
- [5] Town of Farmington, Connecticut, Tax Assessors Department. 2014. Property and Deed Cards for 33 Spring Lane. Obtained from the Town of Farmington, Connecticut Town Hall. 24 March.
- [6] Inquiry for Mallory Industries, Incorporated. Available from https://www.concord-sots.ct.gov/CONCORD/. Internet accessed 19 March.
- [7] Connecticut Department of Environmental Protection (CT DEP). 1970. Inspection Checklist. 25 November.
- [8] Connecticut Department of Environmental Protection (CT DEP). 1980. Inspection Checklist. 19 February.
- [9] Mallory Industries, Inc. Letter regarding Hazardous Waste Activity. 2 September.
- [10] Connecticut Department of Environmental Protection (CT DEP). 1983. Debriefing Memo. 7 January.
- [11] Mallory Industries, Inc. 1983. Letter to clarify generator status. 7 January.
- [12] NUS Corporation. 1983. Trip Report. 15 March.
- [13] Connecticut Department of Environmental Protection (CT DEP). 1983. Status Change Report Review Sheet. 20 December.
- [14] U.S. Environmental Protection Agency (US EPA). 1984. Facility Biennial Hazardous Waste Report for 1983. 17 April.
- [15] Connecticut Department of Environmental Protection (CT DEP). 1985. Inspection Checklist. 19 February.

MALLORY INDUSTRIES, INC. REFERENCES REVIEWED (CONTINUED)

- [16] Burton and Van Houten Engineers, Inc. 1985. Engineering Report. 29 July.
- [17] Connecticut Department of Environmental Protection (CT DEP). 1986. Notice of Intent to Revoke Interim Status and Change Regulatory Status of Facilities that do not Conduct Activities Requiring a Permit. 8 January.
- [18] Connecticut Department of Environmental Protection (CT DEP). 1987. Small Quantity Generator Annual Report. 26 March.
- [19] Connecticut Department of Environmental Protection (CT DEP). 1987. Letter regarding 1986 Small Quantity Generator Annual Report. 10 January.
- [20] NUS Corporation. Meeting for Discussion of the Farmington Industrial Park Sites. 16 May.
- [21] Connecticut Department of Environmental Protection (CT DEP). 1989. Interdepartmental Message Mallory Industries Groundwater History. 2 July.
- [22] NUS Corporation. 1989. Trip Report Onsite Reconnaissance and Soil Sampling. 30 August.
- [23] Connecticut Department of Environmental Protection (CT DEP). 1990. Letter regarding change in RCRA status. 6 June.
- [24] Connecticut Department of Environmental Protection (CT DEP). 1990. 16 Draft SSI Inspection Reports. 19 June.
- [25] NUS Corporation. Final Screening Site Inspection. 23 July.
- [26] Mallory Industries, Inc. 1994. Letter regarding Plainville Water Company Johnson Avenue Wellfield. 27 October.
- [27] Connecticut Department of Environmental Protection (CT DEP). 1994. Letter regarding response to position papers. 23 November.
- [28] Connecticut Department of Environmental Protection (CT DEP). 1994. Analytical Results. 23 December.
- [29] Connecticut Department of Environmental Protection (CT DEP). 1994. Farmington Industrial Park Field Investigations. 22 December.
- [30] Mallory Industries, Inc. 1995. Letter regarding Plainville Water Company Johnson Avenue Wellfield. 20 January.
- [31] Connecticut Department of Environmental Protection (CT DEP). 1995. Letter regarding cost information. 7 February.
- [32] Roy F. Weston. 1995. Non-sampling Recommendation Memorandum. 28 July.
- [33] Roy F. Weston. Trip Report On-site Reconnaissance. 28 July.

MALLORY INDUSTRIES, INC. REFERENCES REVIEWED (CONTINUED)

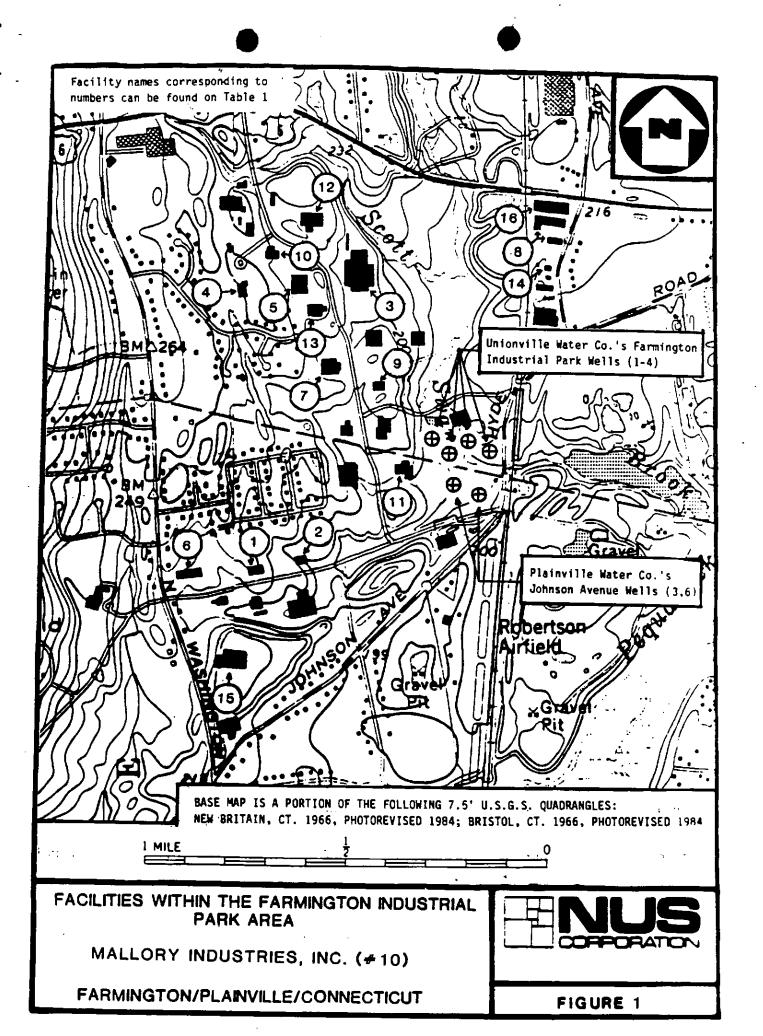
- [34] Roy F. Weston. 1996. Draft Site Inspection Prioritization Report. 30 August.
- [35] Roy F. Weston. 1997. Final Site Inspection Prioritization Report. 11 July.
- [36] Connecticut Department of Environmental Protection (CT DEP). Permit DEP/WPC-052-014.
- [37] Connecticut Department of Environmental Protection (CT DEP). Permit Facility ID 052-014.

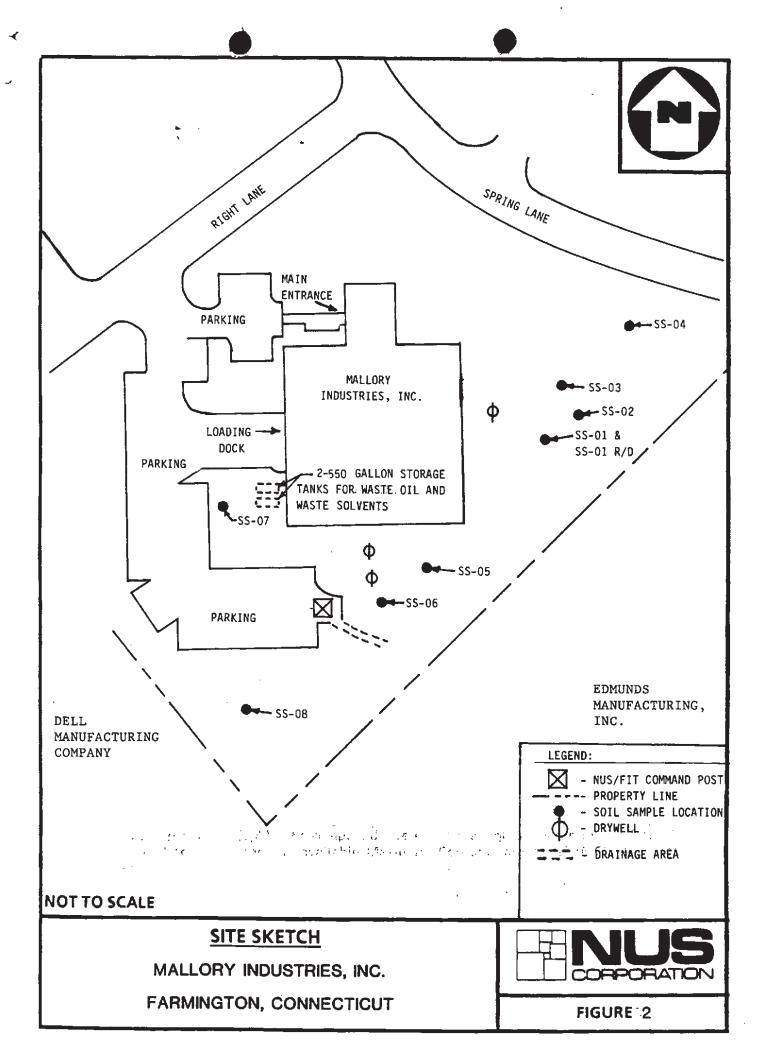
Attachments

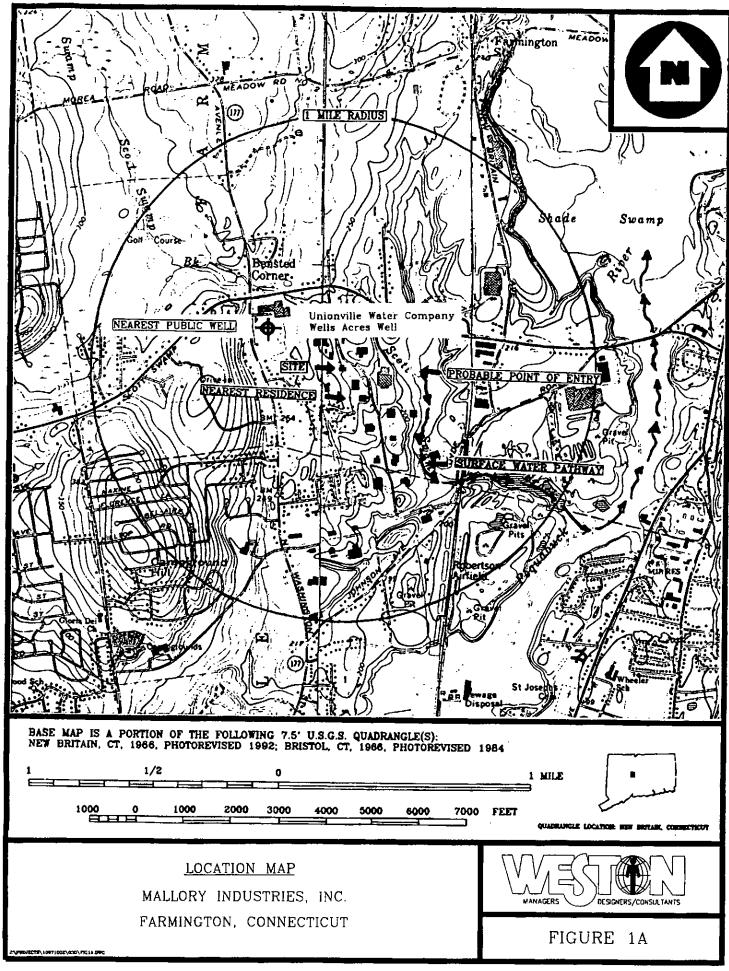
Attachment A

Figures

Figure 1 – Facilities within the Farmington Industrial Park Area Figure 2 – Site Sketch Figure 1A – Location Map



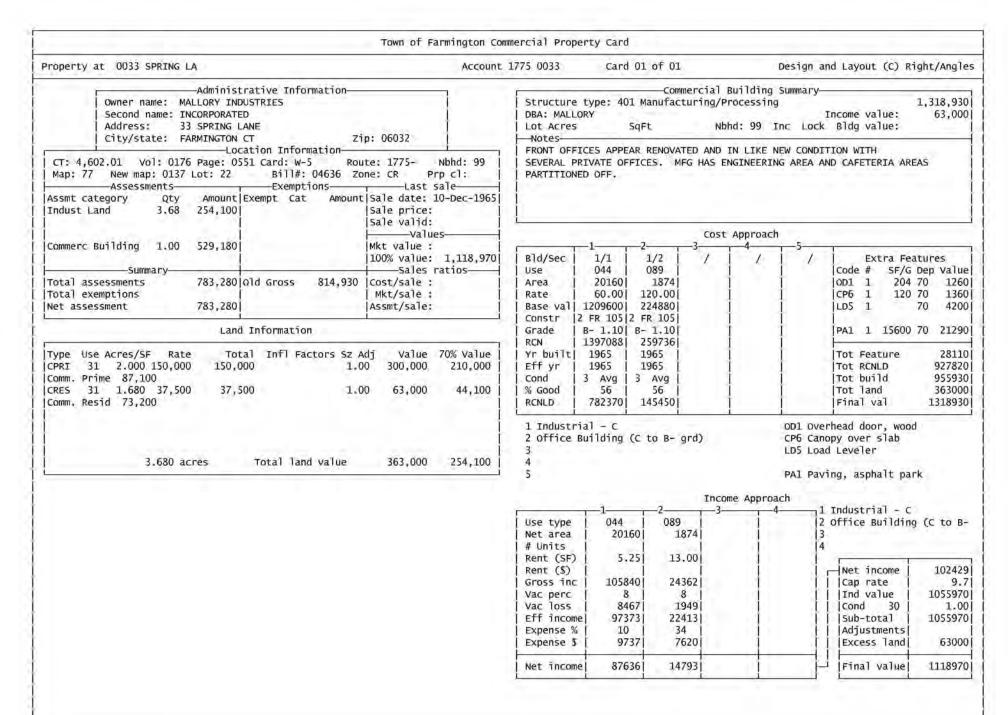


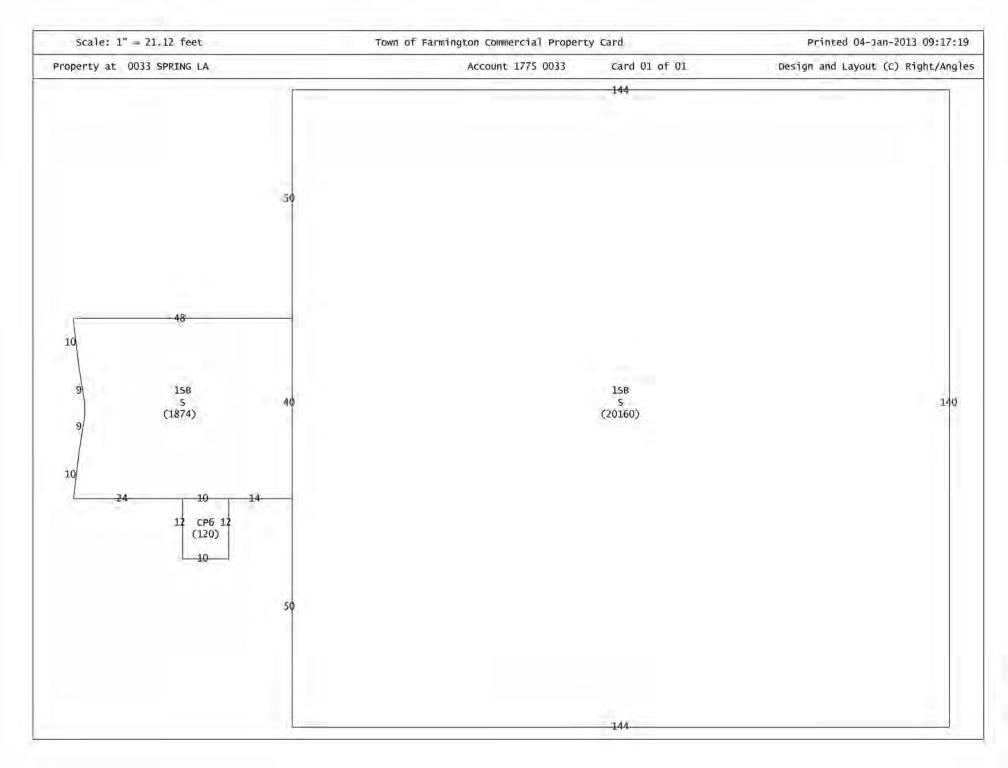


Attachment B

Town of Farmington Documents

Property Card Deeds





To all People to whom these Presents shall come, Greeting:

Hinny Me, That F.L.P. CORPORATION, a Connecticut corporation with its principal place of business located in the Town of Farmington, County of Hartford and State of Connecticut

for the consideration of One (1) Dollar and other valuable consideration received to its full satisfaction of MALLORY INDUSTRIES, INCORPORATED, a Coanecticut corporation with its principal place of business located at No. 25 Huribut Street in the Town of West Hartford in said County and State

do give, grant, bargain, well and confirm unto the said MALLORY INDUSTRIES, INCORPORATED. its successors and assigns forever, all that tract of land situated, lying and being in the Town of Farmington, County of Hartford and State of Connecticut, in the Farmington Industrial Park, so-called, together with the appurtenances thereto and the buildings and improvements thereon, which land contains 3.68 acres more or less, and is shown on a map entitled, "Map of Land owned by F.L.P. CORP. & MILTON NAHUM, TRUSTEE. Spring Lane, Farmington, Connecticut. Scale !" =50' April, 1965, Edward F. Reuber, W. F. Grunewald, Surveyors, Merton Hodge & Assoc., Eng'rs. & Surveyors", which map is on file in the office of the Town Clerk of Farmington, and being more particularly bounded and described as follows:

Commencing at a point in the west side of Spring Lane at the south corner of a road shown as the "proposed road" on the map hereinabove referred to; running thence N 85*-32' W along land now or formerly of the F.L.P. Corporation and of land shown as Parcel "B" on said map, 30, 18 feet; running thence S 53*-14'-30" W along said Parcel "B" on said map, 359, 45 feet to a point; running thence S 8*-14'-30" W along said Parcel "B" on said map, 28, 28 feet; running thence S 36*-45'-30" E, 70 feet to a point; running thence S 36*-45'-30" E, 70 feet to a point; running thence S 36*-45'-30" E along Parcel "C" as shown on said map, 287,25 feet to a point; running thence N 46*-32'-50" E along land now or formerly of the F. I. P. Corporation and Milton Nahum, Trustee, 283 feet to a point; thence continuing N 46*-32'-50" E along land now or formerly of the F. I. P. Corporation, 264,36 feet to the west side of Spring Land. ration, 264.36 feet to the west side of Spring Lane; running thence N 72 -13'-10" W along the west side of Spring Lane, 61.30 feet to a monument; thence continuing N 72*-13'-10" W along the west side of Spring Lane, 81.68 feet to a monument; thence continuing along said west side of Spring Lane 72"-13'-10" W, 186.82 feet to the point of beginning.

Together with the right to the use of the "proposed road" as shown on said map for all purposes for which a highway is ordinarily used.

Said premises are subject to easements to the Hartford Electric Light Company as appear of record.

Said premises are also subject to taxes on List of October 1, 1965, which the Grantee herein assumes and agrees to pay.



Dr. W.

To Have and to Hald the above granted and bargained premises, with the privileges and appur-tenances thereof, unto it the said grantee its tenances thereof, unto

hanksonsceneous and assigns forever, to its and their own proper use and behoof. said grantor . does for itself, its house, accordence, asknowlednesses. And also, it the said granter does for it successors and assigns, covenant with said grantee its

house successors and assigns, that at and until the these presents, it is well seized of the premises, as a good indefeasible estate in FEE SIMPLE; and have good right to bargain and sell the same in manner and form as above written; and that the same is free from all incumbrances whatsoever, except as above stated.

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Attachment C

CONCORD Database Files

Mallory Industries Incorporated

Business Inquiry





Business Details

Business Name: MALLORY INDUSTRIES,

INCORPORATED

Business ID: 0091866 Last Report Filed Year: 2013

Business Address: 33 SPRING LANE, FARMINGTON, CT, 06032

Business Type: Stock

Mailing Address: 33 SPRING LANE,

FARMINGTON, CT, 06032

Business Status: Active

Citizenship/State Inc: Domestic/CT

Date Inc/Registration: Oct 22, 1956

Principals Details

Name/Title Business Address Residence Address

EDWIN C. MALORY

MALLORY INDUSTRIES, INC., 33 SPRING LANE,

10 NORTH AVENUE, MADISON, CT, 06443

PRESIDENT

EDWIN C. MALORY

MALLORY INDUSTRIES, INC., 33 SPRING LANE,

FARMINGTON, CT, 06032

33 SPRING LANE, 10 NORTH AVENUE, MADISON, CT, 06443 FARMINGTON, CT, 06032

J. WICKLIFFE MALLORY VICE PRESIDENT -

TREASURER

MALLORY INDUSTRIES, INC.,

33 SPRING LANE,

SECRETARY FARMINGTON, CT, 06032

122 HIGH RIDGE ROAD, AVON, CT, 06001

Agent Summary

Agent Name JOHN W. MALLORY

Agent Business Address

66 SPRING LANE, FARMINGTON, CT, 06032

Back

Agent Residence

Address 56 ELY ROAD, FARMINGTON, CT, 06032

View Filing History

View Name History

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Business Inquiry







Filing History

Business ID 0091866		Business Name MALLORY INDUSTRIES, INCORPORATED						
	Filing Number	Filing Date/Time	Effective Date/Time	Filing Type	Volume Type	Volume	Start Page	Page #
	0000544992	12:00 AM		REPORT(1994)				0
	0000544983	Oct 22, 1956 12:00 AM		INCORPORATION	С	05060	0691	0
	0000544984	Oct 22, 1956 12:00 AM		ORG REPORT	С	05060	0697	0
	0000544985	Mar 16, 1965 12:00 AM		MERGER	С	06780	0528	0
	0000544986	Mar 31, 1967 12:00 AM		AMEND	С	07230	0665	0
	0000544987	Aug 07, 1973 12:00 AM		MISCELLANEOUS	С	08390	0155	0
	0000544988	Feb 13, 1986 12:00 AM		RETIREMT SHARES	С	10630	2764	0
	0000544989	Feb 13, 1986 12:00 AM		AMEND SHARES	С	10630	2765	0
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	0000544991	Jan 03, 1992 12:00 AM		AMEND	С	11980	3248	0
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0004058233	Nov 13, 2009 8:30 AM	REPORT (2009)	В	01351	0697	2
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0004947759	Sep 23, 2013 12:51 PM	REPORT (2013)	В	01850	1842	2

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Page 1 of 1 C.O.N.C.O.R.D.

Business Inquiry





Merger Details

Filing Number: **0000544985** Filing Date & Time: Mar 16, 1965 12:00 AM

Survivor Business Survivor Business MALLORY INDUSTRIES, 0091866 ld:

Name: INCORPORATED

Terminating Business Details

Business Id Business Name Date MALABAR CORPORATION 0091864 Mar 16, 1965 THE MALLORY REALTY 0091865 Mar 16, 1965 INCORPORATED

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